

Revised

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

TRANSFER PETITION (CIVIL) NO. 745/2023

MAHIMA GUPTA ..PETITIONER(S)

VERSUS

ARUN KUMAR ..RESPONDENT(S)

O R D E R

The parties are present before us.

Both the parties are qualified. The petitioner/wife is a Chartered Accountant while the respondent is an Advocate. The parties met through Shadi.com link and the marriage was solemnized on 08.12.2021. Unfortunately the marriage did not last even for two months and parties have only made allegations against each other.

During the course of hearing it transpired that both the parties do not want to live together. In an earlier mediation process, there was some proposal considered of the husband to pay a sum of Rs. 15,00,000/- (Rupees fifteen lakhs) as permanent alimony to the petitioner largely on account of marriage expenses. Both the parties pray before us for a mutual consent divorce on the aforesaid terms, there being no child from the wedlock.

The transfer has been sought by the petitioner of the Divorce Petition filed by the respondent/husband and other proceedings also.

In view of the aforesaid, both the parties assisted by their counsel pray for mutual consent divorce seeking invocation of jurisdiction of this Court under article 142 of the Constitution of India. It is also agreed that all the cases filed by each other shall stand withdrawn/quashed. The details of the cases are as under :

- 1) Complaint Case/2241/2022, pending before District Court, Rohini;
- 2) Civil Suit/25/2023, pending before the District Court, Rohini;
- 3) Complaint Case viz. DV Act/291/2022, pending in the Criminal Court, Chandigarh;
- 4) HMA/1006/2022, pending in the Civil Court, Chandigarh;
- 5) Writ Petition bearing D.No. E-1114504/2023 (yet to come for hearing), pending before the Delhi High Court;
- 6) Complaint No. ICMS/2022/010859, pending in Civil Court, Chandigarh;
- 7) Complaint DV Act No. 21260/2022 pending in Civil Court, Chandigarh;
- 8) ICMS/2023/006280, pending in Civil Court Chandigarh;

- 9) Criminal Case No. 0000166/2023 in FIR No. 858/2022, pending in District Court, Rohini,
- 10) ICMS/2023/007479, pending in District Court, Chandigarh.

In view of the aforesaid facts and circumstances, we are inclined to exercise jurisdiction under Article 142 of the Constitution of India and pass the decree of divorce dissolving the marriage *inter se* the parties. Decree be accordingly drawn up. The respondent will pay a sum of Rs. 15 lakhs to the petitioner within a week as stated before this Court. The amount to be deposited in this Court and the decree of divorce will be released to the respondent only after the aforesaid amount is deposited. All the pending cases *inter se* the parties will stand withdrawn/quashed.

The transfer petition is disposed of accordingly.

.....J.
[SANJAY KISHAN KAUL]

.....J.
[SUDHANSHU DHULIA]

NEW DELHI,
JULY 24 ,2023.

Revised

ITEM NO.2

COURT NO.2

SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Transfer Petition(s)(Civil) No(s). 745/2023

MAHIMA GUPTA

Petitioner(s)

VERSUS

ARUN KUMAR

Respondent(s)

(FOR ADMISSION and IA No.60235/2023-EX-PARTE STAY

Date : 24-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Nagesh Sharma, Adv.
Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Anil Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

The Transfer petition is disposed of in
terms of the signed order.

Pending application stands disposed of.

[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS

[POONAM VAID]
COURT MASTER (NSH)

[Revised Signed order is placed on the file]

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ARUN KUMAR ..RESPONDENT(S)

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wedlock.

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Civil court, Chandigarh,

9) ICMS/2023/006280, pending in Civil Court Chandigarh.

In view of the aforesaid facts and circumstances, we are inclined to exercise jurisdiction under Article 142 of the Constitution of India and pass the decree of divorce dissolving the marriage *inter se* the parties. Decree be accordingly drawn up. The respondent will pay a sum of Rs. 15 lakhs to the petitioner within a week as stated before this Court. The amount to be deposited in this Court and the decree of divorce will be released to the respondent only after the aforesaid amount is deposited. All the pending cases *inter se* the parties will stand withdrawn/quashed.

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NEW DELHI,
JULY 24 ,2023.

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SECTION XVI-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

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MAHIMA GUPTA

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Mr. Rameshwar Prasad Goyal, AOR

For Respondent(s) Mr. Anil Kumar, AOR

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O R D E RThe Transfer petition is disposed of in
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[CHARANJEET KAUR]
ASTT. REGISTRAR-cum-PS[POONAM VAID]
COURT MASTER (NSH)

[Signed order is placed on the file]